

**BEFORE THE
MEDICAL BOARD OF CALIFORNIA
DEPARTMENT OF CONSUMER AFFAIRS
STATE OF CALIFORNIA**

In the Matter of the Accusation Against:)	
)	
)	
PAUL GOLDEN, M.D.)	Case No. 02-2013-229312
)	
Physician's and Surgeon's)	
Certificate No. G 30602)	
)	
Respondent.)	
_____)	

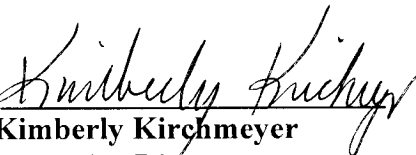
DECISION

The attached Stipulated Surrender of License and Order is hereby adopted as the Decision and Order of the Medical Board of California, Department of Consumer Affairs, State of California.

This Decision shall become effective at 5:00 p.m. on November 12, 2014.

IT IS SO ORDERED November 5, 2014.

MEDICAL BOARD OF CALIFORNIA

By: 
Kimberly Kirchmeyer
Executive Director

1 KAMALA D. HARRIS
Attorney General of California
2 JUDITH T. ALVARADO
Supervising Deputy Attorney General
3 MEGAN R. O'CARROLL
Deputy Attorney General
4 State Bar No. 215479
California Department of Justice
5 1300 I Street, Suite 125
P.O. Box 944255
6 Sacramento, CA 94244-2550
Telephone: (916) 445-2395
7 Facsimile: (916) 327-2247
Attorneys for Complainant

8
9 **BEFORE THE**
MEDICAL BOARD OF CALIFORNIA
10 **DEPARTMENT OF CONSUMER AFFAIRS**
STATE OF CALIFORNIA

11 In the Matter of the Accusation Against:

12 **PAUL GOLDEN, M.D.**
13 **1330 Nelson Ave., Ste. C**
14 **Modesto, CA 95350**

15 **Physician's and Surgeon's Certificate No. G 30602,**
16 **Respondent.**

Case No. 02-2013-229312

OAH No. 2013090020

**STIPULATED SURRENDER OF
LICENSE AND ORDER**

17
18 IT IS HEREBY STIPULATED AND AGREED by and between the parties to the above-
19 entitled proceedings that the following matters are true:

20 **PARTIES**

21 1. Kimberly Kirchmeyer (Complainant) is the Executive Officer of the Medical Board
22 of California. She brought this action solely in her official capacity and is represented in this
23 matter by Kamala D. Harris, Attorney General of the State of California, by Megan R. O'Carroll,
24 Deputy Attorney General.

25 2. Paul Golden, M.D. (Respondent) is represented in this proceeding by attorney
26 Lawrence S. Giardina, Esq., whose address is 400 University Ave., Sacramento, CA 95825-6502.

27 3. On or about August 15, 1975, the Medical Board of California issued Physician's and
28 Surgeon's Certificate No. G 30602 to Paul Golden, M.D. The Physician's and Surgeon's

1 Certificate was in full force and effect at all times relevant to the charges brought in Accusation
2 No. 02-2013-229312 and will expire on May 31, 2014, unless renewed.

3 **JURISDICTION**

4 4. Accusation No. 02-2013-229312 was filed before the Medical Board of California
5 (Board), Department of Consumer Affairs, and is currently pending against Respondent. The
6 Accusation and all other statutorily required documents were properly served on Respondent on
7 July 18, 2013. Respondent timely filed his Notice of Defense contesting the Accusation. A copy
8 of Accusation No. 02-2013-229312 is attached as Exhibit A and incorporated by reference.

9 **ADVISEMENT AND WAIVERS**

10 5. Respondent has carefully read, fully discussed with counsel, and understands the
11 charges and allegations in Accusation No. 02-2013-229312. Respondent also has carefully read,
12 fully discussed with counsel, and understands the effects of this Stipulated Surrender of License
13 and Order.

14 6. Respondent is fully aware of his legal rights in this matter, including the right to a
15 hearing on the charges and allegations in the Accusation; the right to be represented by counsel, at
16 his own expense; the right to confront and cross-examine the witnesses against him; the right to
17 present evidence and to testify on his own behalf; the right to the issuance of subpoenas to compel
18 the attendance of witnesses and the production of documents; the right to reconsideration and
19 court review of an adverse decision; and all other rights accorded by the California
20 Administrative Procedure Act and other applicable laws.

21 7. Respondent voluntarily, knowingly, and intelligently waives and gives up each and
22 every right set forth above.

23 **CULPABILITY**

24 8. Respondent understands that the charges and allegations in Accusation No. 02-2013-
25 229312, if proven at a hearing, constitute cause for imposing discipline upon his Physician's and
26 Surgeon's Certificate.

27 9. For the purpose of resolving the Accusation without the expense and uncertainty of
28 further proceedings, Respondent agrees that, at a hearing, Complainant could establish a factual

1 basis for the charges in the Accusation and that those charges constitute cause for discipline.
2 Respondent hereby gives up his right to contest that cause for discipline exists based on those
3 charges.

4 10. Respondent understands that by signing this stipulation he enables the Board to issue
5 an order accepting the surrender of his Physician's and Surgeon's Certificate without further
6 process.

7 **RESERVATION**

8 11. The admissions made by Respondent herein are only for the purposes of this
9 proceeding, or any other proceedings in which the Medical Board of California or other
10 professional licensing agency is involved, and shall not be admissible in any other criminal or
11 civil proceeding.

12 **CONTINGENCY**

13 12. This stipulation shall be subject to approval by the Medical Board of California.
14 Respondent understands and agrees that counsel for Complainant and the staff of the Medical
15 Board of California may communicate directly with the Board regarding this stipulation and
16 surrender, without notice to or participation by Respondent or his counsel. By signing the
17 stipulation, Respondent understands and agrees that he may not withdraw his agreement or seek
18 to rescind the stipulation prior to the time the Board considers and acts upon it. If the Board fails
19 to adopt this stipulation as its Decision and Order, the Stipulated Surrender and Disciplinary
20 Order shall be of no force or effect, except for this paragraph, it shall be inadmissible in any legal
21 action between the parties, and the Board shall not be disqualified from further action by having
22 considered this matter.

23 13. The parties understand and agree that Portable Document Format (PDF) and facsimile
24 copies of this Stipulated Surrender of License and Order, including Portable Document Format
25 (PDF) and facsimile signatures thereto, shall have the same force and effect as the originals.

26 14. In consideration of the foregoing admissions and stipulations, the parties agree that
27 the Board may, without further notice or formal proceeding, issue and enter the following Order:

28 ///

ORDER

IT IS HEREBY ORDERED that Physician's and Surgeon's Certificate No. G 30602, issued to Respondent Paul Golden, M.D., is surrendered and accepted by the Medical Board of California.

1. The surrender of Respondent's Physician's and Surgeon's Certificate and the acceptance of the surrendered license by the Board shall constitute the imposition of discipline against Respondent. This stipulation constitutes a record of the discipline and shall become a part of Respondent's license history with the Medical Board of California.

2. Respondent shall lose all rights and privileges as a Physician and Surgeon in California as of the effective date of the Board's Decision and Order.

3. Respondent shall cause to be delivered to the Board his pocket license and, if one was issued, his wall certificate on or before the effective date of the Decision and Order.

4. If Respondent ever files an application for licensure or a petition for reinstatement in the State of California, the Board shall treat it as a petition for reinstatement. Respondent must comply with all the laws, regulations and procedures for reinstatement of a revoked license in effect at the time the petition is filed, and all of the charges and allegations contained in Accusation No. 02-2013-229312 shall be deemed to be true, correct and admitted by Respondent when the Board determines whether to grant or deny the petition.

5. If Respondent should ever apply or reapply for a new license or certification, or petition for reinstatement of a license, by any other health care licensing agency in the State of California, all of the charges and allegations contained in Accusation, No. 02-2013-229312 shall be deemed to be true, correct, and admitted by Respondent for the purpose of any Statement of Issues or any other proceeding seeking to deny or restrict licensure.

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1 ACCEPTANCE

2 I have carefully read the above Stipulated Surrender of License and Order and have fully
3 discussed it with my attorney, Lawrence S. Giardina, Esq. I understand the stipulation and the
4 effect it will have on my Physician's and Surgeon's Certificate. I enter into this Stipulated
5 Surrender of License and Order voluntarily, knowingly, and intelligently, and agree to be bound
6 by the Decision and Order of the Medical Board of California.

7
8 DATED: 10/3/14 
9 PAUL GOLDEN, M.D.
Respondent

10 I have read and fully discussed with Respondent Paul Golden, M.D. the terms and
11 conditions and other matters contained in this Stipulated Surrender of License and Order. I
12 approve its form and content.

13 DATED: 10/22/14 
14 LAWRENCE S. GIARDINA, ESQ.
15 Attorney for Respondent

Andrew S. Larsen

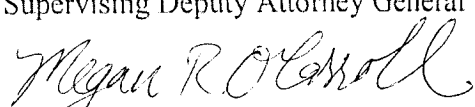
16 ENDORSEMENT

17 The foregoing Stipulated Surrender of License and Order is hereby respectfully submitted
18 for consideration by the Medical Board of California of the Department of Consumer Affairs.

19 Dated: Oct 24, 2014

Respectfully submitted,

20 KAMALA D. HARRIS
21 Attorney General of California
22 JUDITH T. ALVARADO
Supervising Deputy Attorney General

23 
24 MEGAN R. O'CARROLL
25 Deputy Attorney General
26 Attorneys for Complainant

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Exhibit A
Accusation No. 02-2013-229312

1 KAMALA D. HARRIS
Attorney General of California
2 JOSE R. GUERRERO
Supervising Deputy Attorney General
3 MICHELLE L. ANGUS
Deputy Attorney General
4 State Bar No. 210031
1300 I Street, Suite 125
5 P.O. Box 944255
Sacramento, CA 94244-2550
6 Telephone: (916) 445-2395
Facsimile: (916) 327-2247
7 *Attorneys for Complainant*

FILED
STATE OF CALIFORNIA
MEDICAL BOARD OF CALIFORNIA
SACRAMENTO JUL 18, 2013
BY *[Signature]* ANALYST

8 **BEFORE THE**
9 **MEDICAL BOARD OF CALIFORNIA**
10 **DEPARTMENT OF CONSUMER AFFAIRS**
11 **STATE OF CALIFORNIA**

11 In the Matter of the Accusation Against:

Case No. 02-2013-229312

12 **PAUL GOLDEN, M.D.**
13 1330 Nelson Ave., Ste. C
Modesto, Ca 95350

A C C U S A T I O N

14 Physician's and Surgeon's Certificate No. G 30602
15 Respondent.

16
17 Complainant alleges:

18 PARTIES

19 1. Kimberly Kirchmeyer (Complainant) brings this Accusation solely in her official
20 capacity as the Interim Executive Director of the Medical Board of California, Department of
21 Consumer Affairs.

22 2. On or about August 15, 1975, the Medical Board of California issued Physician's and
23 Surgeon's Certificate No. G 30602 to Paul Golden, M.D. (Respondent). The Physician's and
24 Surgeon's Certificate was in full force and effect at all times relevant to the charges brought
25 herein and will expire on May 31, 2014, unless renewed.

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4. Section 820 of the Code states:

5. Code section 822 states:

"(a) Revoking the licentiate's certificate or license.

"(b) Suspending the licentiate's right to practice.

"(c) Placing the licentiate on probation.

"The licensing section shall not reinstate a revoked or suspended certificate or license until received competent evidence of the absence or control of the condition which caused its and until it is satisfied that with due regard for the public health and safety the person's to practice his or her profession may be safely reinstated."

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1 CAUSE FOR DISCIPLINE
2 (Mental or Physical Impairment)
3 [Bus. & Prof. Code § 822]

4 6. Respondent is subject to disciplinary action under section 822 in that he is not safe to
5 practice medicine safely as he suffers from a mental illness that affects his competency to practice
6 medicine. The circumstances are as follows:

7 7. On or about January 8, 2013, the Medical Board of California received an anonymous
8 complaint that called into question Respondent's mental competency. The Medical Board
9 commenced an investigation, during which Respondent was interviewed and voluntarily agreed to
10 submit to a mental evaluation.

11 8. On or about May 2, 2013, Respondent was evaluated by a psychiatrist. In the
12 May 13, 2013 written expert report, the psychiatrist diagnosed Respondent with bipolar disorder,
13 most recent episode hypomanic, in remission. The psychiatrist's report further identified
14 indications of impaired judgment, including Respondent's "continued decision to manage his own
15 medication in spite of the disastrous consequences that this approach caused in the past" and
16 consuming and combining alcohol with benzodiazepines and opiates, which is potentially very
17 dangerous. The psychiatrist also concluded that Respondent demonstrated cognitive impairment,
18 as well as tangential and circumstantial thought process. The psychiatrist concluded that
19 Respondent's ability to practice medicine is impaired at this time and that Respondent requires
20 psychiatric treatment and supervision in order to practice medicine safely.

21 PRAYER

22 WHEREFORE, Complainant requests that a hearing be held on the matters herein alleged,
23 and that following the hearing, the Medical Board of California issue a decision:

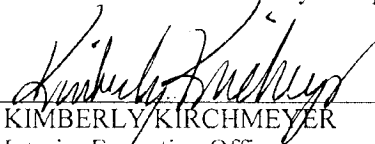
24 1. Revoking or suspending Physician's and Surgeon's Certificate No. G 30602, issued to
25 Paul Golden, M.D.

26 2. Revoking, suspending or denying approval of Paul Golden, M.D.'s authority to
27 supervise physician's assistants, pursuant to section 3527 of the Code;
28

1 3. Ordering Paul Golden, M.D. to pay the Medical Board of California the costs of
2 probation monitoring, if placed on probation; and

3 4. Taking such other and further action as deemed necessary and proper.

4
5 DATED: July 18, 2013


KIMBERLY KIRCHMEYER
Interim Executive Officer
Medical Board of California
Department of Consumer Affairs
State of California
Complainant

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